

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by  
5 changing Section 2-110 as follows:

6 (40 ILCS 5/2-110) (from Ch. 108 1/2, par. 2-110)  
7 Sec. 2-110. Service.

8 (A) "Service" means the period beginning on the day when  
9 a person first became a member, and ending on the date under  
10 consideration, excluding all intervening periods of  
11 nonmembership following resignation or expiration of any term  
12 of office.

13 (B) "Service" includes:

14 (a) Military service during war by a person who  
15 entered such service while a member, whether rendered  
16 before or after the expiration of any term of office;  
17 plus up to 2 years of military service that need not have  
18 immediately followed service as a member, and need not  
19 have been served during wartime, provided that the member  
20 makes contributions to the System for such service (1) at  
21 the rates provided in Section 2-126 based upon the  
22 member's rate of compensation on the last date as a  
23 participant prior to such military service, or on the  
24 first date as a participant after such military service,  
25 whichever is greater, plus (2) if payment is made on or  
26 after July 1, 2004 ~~May-17-1993~~, an amount determined by  
27 the Board to be equal to the employer's normal cost of  
28 the benefits accrued for such military service, plus (3)  
29 interest at the effective rate from the date of first  
30 membership in the System to the date of payment.

31 The amendment to this subdivision (B)(a) made by

1 this amendatory Act of 1993 shall apply to persons who  
2 are active contributors to the System on or after  
3 November 30, 1992. A person who was an active  
4 contributor to the System on November 30, 1992 but is no  
5 longer an active contributor may apply to purchase  
6 military credit under this subdivision (B)(a) within 60  
7 days after the effective date of this amendatory Act of  
8 1993; if the person is an annuitant, the resulting  
9 increase in annuity shall begin to accrue on the first  
10 day of the month following the month in which the  
11 required payment is received by the System. The change  
12 in the required contribution for purchased military  
13 credit made by this amendatory Act of the 93rd General  
14 Assembly 1993 shall not entitle any person to a refund of  
15 contributions already paid.

16 (b) Service as a judge of a court of this State,  
17 but credit for such service is subject to the following  
18 conditions: (1) such person shall have been a member for  
19 at least 4 years and contributed to the system for  
20 service as a judge subsequent to July 8, 1947, at the  
21 rates herein provided, including interest at 2% per annum  
22 to the date of payment based on the salary in effect  
23 during such service; (2) the member was not an eligible  
24 member of nor entitled to credit for such service in any  
25 other retirement system in the State maintained in whole  
26 or in part by public contributions; and (3) the last 4  
27 years of service prior to retirement on annuity was  
28 rendered while a member.

29 (c) Service as a participating employee under  
30 Articles 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,  
31 17 or 18 of the Illinois Pension Code. Credit for such  
32 service may be established by a member and, if permitted  
33 by the credit transfer Section of the appropriate  
34 Article, by a former member who is not yet an annuitant,

1 and is subject to the following conditions: (1) that the  
2 credits accrued under the above mentioned Articles have  
3 been transferred to this system; and (2) that the member  
4 has contributed to this system an amount equal to (i) the  
5 contribution rate in effect for participants at the date  
6 of membership in this system multiplied by the salary  
7 then in effect for members of the General Assembly for  
8 each year of service for which credit is being  
9 transferred, plus (ii) the State's share of the normal  
10 cost of benefits under this system expressed as a percent  
11 of payroll, as determined by the system's actuary as of  
12 the date of the participant's membership in this system,  
13 multiplied by the salary then in effect for members of  
14 the General Assembly, for each year of service for which  
15 credit is being transferred, plus (iii) interest on items  
16 (i) and (ii) above at 6% per annum compounded annually,  
17 from the date of membership to the date of payment by the  
18 participant, less (iv) the amount transferred to this  
19 system on behalf of the participant on account of service  
20 rendered while a participant under the above mentioned  
21 Articles.

22 (d) Service, before October 1, 1975, as an officer  
23 elected by the people of Illinois, for which creditable  
24 service is required to be transferred from the State  
25 Employees' Retirement System to this system by this  
26 amendatory Act of 1975.

27 (e) Service rendered prior to January 1, 1964, as a  
28 justice of the peace or police magistrate or as a civil  
29 referee in the Municipal Court of Chicago, but credit for  
30 such service may not be granted until the member has paid  
31 to the system an amount equal to (1) the contribution  
32 rate for participants at the date of membership in this  
33 system multiplied by the salary then in effect for  
34 members of the General Assembly for each year of service

1 for which credit is being transferred, plus (2) the  
2 State's share of the normal cost of benefits under this  
3 system expressed as a percent of payroll, as determined  
4 by the system's actuary as of the date of the  
5 participant's membership in this system, multiplied by  
6 the salary then in effect for members of the General  
7 Assembly, for each year of service for which credit is  
8 allowed, plus, (3) interest on (1) and (2) above at 6%  
9 per annum compounded annually from the date of membership  
10 to the date of payment by the member. However, a  
11 participant may not receive more than 6 years of credit  
12 for such service nor may any member receive credit under  
13 this paragraph for service for which credit has been  
14 granted in any other public pension fund or retirement  
15 system in the State.

16 (f) Service before January 16, 1981, as an officer  
17 elected by the people of Illinois, for which creditable  
18 service is transferred from the State Employees'  
19 Retirement System to this system.

20 (C) Service during any fraction of a month shall be  
21 considered as a month of service.

22 Service includes the total period of time for which a  
23 participant is elected as a member or officer, even though he  
24 or she does not complete the term because of death,  
25 resignation, judicial decision, or operation of law, provided  
26 that the contributions required under this Article for such  
27 entire period of office have been made by or on behalf of the  
28 participant. In the case of a participant appointed or  
29 elected to fill a vacancy, service includes the total period  
30 from January 1 of the year in which his or her service  
31 commences to the end of the term in which the vacancy occurs,  
32 provided the participant contributes in the year of  
33 appointment an amount equal to the contributions that would  
34 have been required had the participant received salary for

1 the entire year. The foregoing provisions relating to a  
2 participant appointed or elected to fill a vacancy shall not  
3 apply if the participant was a member of the other  
4 legislative chamber at the time of appointment or election.

5 (D) Notwithstanding the other provisions of this  
6 Section, if application to transfer or establish service  
7 credit under paragraph (c) or (e) of subsection (B) of this  
8 Section is made between January 1, 1992 and February 1, 1993,  
9 the contribution required for such credit shall be an amount  
10 equal to (1) the contribution rate in effect for participants  
11 at the date of membership in this system multiplied by the  
12 salary then in effect for members of the General Assembly for  
13 each year of service for which credit is being granted, plus  
14 (2) interest thereon at 6% per annum compounded annually,  
15 from the date of membership to the date of payment by the  
16 member, less (3) any amount transferred to this system on  
17 behalf of the member on account of such service credit.

18 (Source: P.A. 86-27; 86-1028; 87-794; 87-1265.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.